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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/623,316	08/31/2000	Roger George Buck	36-1363	1857

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Nixon & Vanderhye
1100 North Glebe Road
8th floor
Arlington, VA 22201-4714

EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 11/20/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/623,316

Applicant(s)

BUCK ET AL.

Examiner

Hieu c. Le

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-9,12-13,15-18 is/are rejected.
- 7) ☒ Claim(s) 3-5,10,11 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15 6) ☐ Other: ____

DETAILED ACTION

Objection Specification

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

- (e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."

- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "separating said protocol into a first group of responses to corresponding first events, and a second group of responses to corresponding second events," on lines 3-4 and "signalling event-handling data from said store to said first terminal" and on lines 12, and "said protocols" on lines 9-10. It is not clear how a single protocol is separated into the first group and second group. The meaning of "signalling event-handling data from said store to said first terminal" is not clear.

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3. Claim 8-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites "the first terminal for handling conditions requiring a response within the set but not the subset" on line 16. It is not clear how the first terminal for handling conditions requiring a response within the set but not the subset" is not clear.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2,⁶~~7~~-9, 12-13,16-17,19 rejected under 35 U.S.C. 102(e) as anticipated by Ram et al [U.S. Pat. No. 6, 028,924] .

As to claim 1,[as best understood by the Examiner) Ram discloses a method of communications employing a predetermined communications protocol defining respective responses to predetermined events, comprising:

separating said protocol into a first group of responses to corresponding first events, and a second group of responses to corresponding second events, wherein said first events occur frequently relative to said second events [the calling protocols is to

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calls that do not require additional call processing capability and functions (frequently occurred) and calls that requires additional enhanced service (col. 5, lines 12-16, lines 46-50);

storing said first group at a first communications terminal [(Fig. 4. trigger database 102 stores the first group on the the switch node 24 (terminal)), storing at least the second group at a store remote from said first terminal, and interconnected therewith via a communications channel [Fig. 4. second group is stored on SCU 34 connected with link 40 to the switch node 24 (terminal))];

communicating from said first terminal using said first group of the protocols (col. 9, line 55-col. 10, line 11);

on detecting an event other than one of said first events at said first terminal, signalling event-handling data from said store to said first terminal (col. 9, line 63-col. 10, line 11); and

communicating from said first terminal using said event-handling data (col. 10, lines 14-22).

As to claim 2, Ram further discloses when the detected event is of the group of second events, said event-handling data comprises at least the responses of said second group which correspond thereto (col. 9, line 63-col. 10, line 11, col. 11, lines 11-35); and

As to claim 6, Ram further discloses in which said event-handling data comprises data defining instructions for handling the detected event (col. 47, line 36-67);

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As to claim 7, Ram further discloses a method according to, wherein the protocol is for use of an ISDN communications channel (col. 4, line 47).

As to claim 8, [as best understood by the Examiner] Ram discloses a communications system (Fig. 1, switch node 24) comprising;

a first terminal (Fig. 1, item 24).

a second terminal interconnectable with the first via a telecommunications network [Fig. 1, item SCU 34 (second node) connected via link 40]; and

a store connected to said network (Fig. 1, item 56).

in which:

the second terminal is arranged to communicate using a communications protocol defining a set of responses to respective conditions (col. 12, item 10-35).

the first terminal is arranged to store, and communicate using, a subset of the protocol (col. 9, line 63-col. 10, line 11); and

the store is arranged to cooperate with the first terminal for handling conditions requiring a response within the set but not the subset (col. 42, line 36-col. 43, line 5).

As to claim 9,[as best understood by the Examiner) Ram discloses communications terminal for use with a communications protocols defining a set of responses to respective predetermined events, comprising;

a communications port for connection to a communications channel (col. 4, line 55-59 & col. 6, lines 7-13).

a signalling port for connection to a signalling channel (col. 16, lines 5-17); and

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a store for storing data defining a core subset of said response
corresponding to a core subset of said events (col. 9, line 63-col. 10, line 11; and
a controller for controlling communications via the communications and
signalling ports in accordance with said core subset (col. 42; lines 36-67).

the terminal being arranged to detect events not within said core subset,
and to receive event-handling data via said signalling port (col. 16, lines 5-36), and
controller being arranged to handle said detected events in accordance with
said received event-handling data (col. 17, lines 35-38).

As to claim 12, Ram further discloses the controller is arranged to
accept said event-handling data as one or more communications signalling
instructions for immediate execution (col. 42, lines 36-58).

As to claim 13, Ram further discloses the terminal being arranged to signal said
detected events via said signalling port and to receive said event-handling data in
response thereto (col. 16, lines 16-21).

As to claim 15, Ram further discloses wherein said store does not comprise a
movable magnetic storage medium (col. 7, line 19).

As to claim 16, Ram further discloses which lacks a movable magnetic storage
Medium (col. 7, line 19).

As to claim 17, Ram further discloses which comprises a network client
Terminal (Fig. 5, item 113).

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ram et al [U.S. Pat. No. 6, 028,924].

As to claim 18, Ram discloses the invention substantially as claim discussed above. Ram does not explicitly disclose a video output port for co-operation with a television set.

However, Ram further discloses a video display port to connect to a video display terminal (col. 7, line 19). The use of a television set to display video is obvious in view of video display etc.

Allowable Subject Matter

9. Claims 3-5, 10-11, 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 11 depends claim 10 (include claim 10).

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10.. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101.

The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (703) 308-5221. The fax phone number for this Group is (703) 308-5357.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le

A handwritten signature in black ink, appearing to read 'Robert B. Harrell', with a long horizontal flourish extending to the right.

**ROBERT B. HARRELL
PRIMARY EXAMINER**